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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: M. Rinne

Serial No.: 09/648,781

Filed: August 28, 2000

Title: BASIC QoS MECHANISMS FOR WIRELESS TRANSMISSION
OF IP TRAFFIC

Group Art Unit: 2664

Examiner: Mark A. Mais

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REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request for Reconsideration is filed in response to the Final Action mailed June 16, 2004 in which claims 1-16 were allowed and 17-20 rejected.

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Deborah J. Clark

July 1, 2004
Date

The Examiner states that applicant argued that the new limitations presented in the amended claims 17-20 overcome the rejections delineated in the Office Action dated December 18, 2003. However, it was stated in the last sentence on page 8 under the remarks section that claims 17 and 19 were amended to make the exact language in the determining step completely the same as the language used in the classifying step, i.e., to make the claim clearer, not to overcome the rejection.

The Examiner's reasons for considering the applicant's arguments as not being persuasive are not supported by any concrete prior art of record.

As pointed out in the remarks section on page 8 of the response filed March 15, 2004, the Golden et al reference (U.S. 6,563,793) determines what the requested QoS of received packet is and then tries to find out if there are sufficient resources to meet the requested QoS and, if not, provide a best effort, next-highest-capacity solution for the packet.

That is not what is claimed in claims 17 and 19. What is claimed is determining if a packet that has information relating to a QoS requested for the packet and received in a first network from a second network actually experienced that QoS over the second network. If not, the packet is reclassified on that basis, not based on what is available.

This has particular advantage for situations such as shown in Fig. 12 of the present disclosure where the first network is for example a wireless network and the second network is a wireline network. Although the invention is not restricted to that embodiment, it will be appreciated by the Examiner that a wireless interface is a scarce resource and if a packet or packets coming from a wireline second network arrive in a wireless first network requesting a QoS that is higher than the packet or packets have heretofore actually experienced in traversing the wireline second network, it would not make much economic sense for the first network which has limited resources to grant such a packet or packets a QoS higher than the packet or packets actually need. This is a good example for showing what the claimed invention actually means.

The Examiner states that the claimed invention is, in fact, the reason for having and adjusting a different QoS (experienced and/or required) between sender and receiver. However, the Examiner has not cited any prior

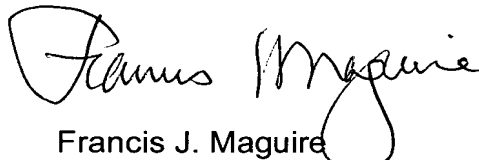
art to sustain this statement. Moreover, the Examiner seems to be equating "experienced" and "required," which is not correct.

It is true that a sender in a wireless sending network can pass along requested QoS of a group of packets to intermediate networks and/or to the destination network. However, there is no concrete evidence of record that the destination network, in turn, can then step-down the QoS based on what is actually experienced or that the destination network will "normalize" to the lowest common denominator QoS.

Therefore, the 35 U.S.C. § 102(e) rejection of claims 17-20 based on Golden et al is inapplicable and reconsideration of that rejection and withdrawal thereof is requested.

The objections and rejections of the Office Action of June 16, 2004, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-19 to issue is solicited.

Respectfully submitted,



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